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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,682	02/07/2001	Anthony Joseph Stentz	285632-00003	4097

7590 02/10/2004

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EXAMINER

SAX, STEVEN PAUL

ART UNIT PAPER NUMBER

2174

9

DATE MAILED: 02/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/778,682

Applicant(s)

STENTZ ET AL.

Examiner

Steve Sax

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Art Unit: 2174

DETAILED ACTION

1. This application has been examined.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Driscoll, Jr. et al.
4. Regarding claim 1, Driscoll, Jr. et al show: an imaging system with a panoramic visual images display device (Figures 13A-B, column 3 lines 60-67) and associated directional sound playback device (column 11 lines 40-50).
5. Regarding claim 2, the display device displays a selected portion of the panoramic visual images (column 8 lines 45-67).

Art Unit: 2174

6. Regarding claim 3, the selected portion comprises a field of view from about 1-60 degrees (column 3 lines 45-67).
7. Regarding claim 4, the directional sound playback provides sound associated with the selected portion of the panoramic visual images (column 11 lines 50-67).
8. Claims 5-8 show the same features as claims 1-4 respectively, and are rejected for the same reasons.
9. Claims 9-10 show the same features as claim 1, and are rejected for the same reasons.
10. Regarding claims 11-13, the system records to a full range of 360 degrees, and may record in about 60 degree intervals, thus fulfilling the features of these claims (column 3 lines 45-67, column 4 lines 1-16).
11. Regarding claims 14-15, the recording device is a video camera (column 4 lines 7-15 and 51-67, column 5 lines 43-65).
12. Regarding claim 16, the recording device has a panoramic mirror (column 4 lines 6-33).

Art Unit: 2174

13. Regarding claims 17-18, the system has atleast two microphones which may be omnidirectional (column 11 lines 40-50).
14. Regarding claim 19, the microphones may be unidirectional (column 11 lines 52-58).
15. Regarding claims 20 and 25, in addition to the aforementioned, note that the images are captured (column 5 lines 29-32).
16. Regarding claims 21-23, the field of view may go in intervals of 30 degrees, and 90 degrees, besides the 60 degree interval (column 8 lines 47-67, column 9 lines 55-67, column 10 lines 20-44).
17. Claim 24 shows the same features as claim 13 and is rejected for the same reasons.
18. Claims 26-38 show the same features of claims 10-19, with also the playback elements of claims 1-4 combined therein, and are rejected for the same reasons as all those claims.
19. Claims 39-40 show the same features as claim 26 and is rejected for the same reasons.

Art Unit: 2174

20. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, may be reached at (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306

Official Communication

21. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


STEVEN SAX
PRIMARY EXAMINER